

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Christine M. McCool

Case No.: 13-30355-JNP  
Judge: Jerrold N. Poslusny, Jr  
Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Original         | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required         | <input type="checkbox"/> No Discharge Sought         |

Date: April 12, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 414 per month to the Chapter 13 Trustee, starting on April 2017 for approximately 5 more (of 47) months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Joseph J. Rogers, Esquire	Attorney Fees	\$3090 (\$3090 ptd); + \$900 pending supplemental fees
Chapter 13 Trustee	Trustee Commissions	10%

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Wells Fargo Bank	mortgage			\$0; (\$3403.31 paid prior to loan modification)	Per loan modification

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**d. Secured Claims Unaffected by the Plan**

Police and Fire FCU (auto loan) "current and outside" -

The following secured claims are unaffected by the Plan:

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*  
☒ Not less than \_\_\_\_\_ 100 percent  
☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Joseph J. Rogers, Esquire
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

**d. Post-Petition Claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: efiled 09/17/2013.

Explain below **why** the plan is being modified:  
Pursuant to Order Authorizing Loan Modification.

Explain below **how** the plan is being modified:  
Wells Fargo Bank, NA (first mortgage) is to be paid outside of the plan pursuant to the loan modification and is to receive no further payments through the plan. Plan is modified to pay 100% of all remaining claims.

\$16,316 paid to date. Total plan length 47 months.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: \_\_\_\_\_

\_\_\_\_\_  
/s/ Joseph J. Rogers Esquire  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 4/22/17 \_\_\_\_\_

\_\_\_\_\_  
/s/ Christine M. McCool  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
/s/  
Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Christine M. McCool  
 Debtor

Case No. 13-30355-JNP  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 17

Date Rcvd: Apr 25, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 27, 2017.

db	+Christine M. McCool, 651 Proposed Avenue, Franklinville, NJ 08322-3044
aty	#Zucker, Goldberg & Ackerman, LLC, 200 Sheffield Street, PO Box 1024, Mountainside, NJ 07092-0024
lm	+WELLS FARGO BANK, N.A., 3476 Stateview Boulevard /MAC# X7801-014, Fort Mill, SC 29715-7200
514218622	#+Nudelman, Klemm & Golub, 425 Eagle Rock, Ste 403, Roseland, NJ 07068-1787
514218623	+Police And Fire Fcu, 901 Arch Street, Philadelphia, PA 19107-2495
514218627	++WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING, ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203 (address filed with court: Wells Fargo Hm Mortgag, 8480 Stagecoach Cir, Frederick, MD 21701)
514218626	+Web Bank/dfs, One Dell Way, Round Rock, TX 78682-7000
514468443	+Wells Fargo Bank, NA, c/o Zucker Goldberg & Ackerman, 200 Sheffield Street, Suite 301, Mountainside, NJ 07092-2315
514469047	+Wells Fargo Bank, NA, Attn: bankruptcy Dept, MAC# D3347-014, 3476 Stateview Blvd, Ft. Mill, SC 29715-7203

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

smg	E-mail/Text: usanj.njbankr@usdoj.gov Apr 25 2017 22:26:13 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Apr 25 2017 22:26:11 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
514234944	+E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Apr 25 2017 22:26:08 Asset Acceptance LLC, PO Box 2036, Warren MI 48090-2036
514218619	+E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Apr 25 2017 22:26:08 Asset Acceptance Llc, Po Box 1630, Warren, MI 48090-1630
514218620	+E-mail/Text: bankruptcy@cavps.com Apr 25 2017 22:26:26 Cavalry Portfolio Serv, 7 Skyline Dr Ste 3, Hawthorne, NY 10532-2162
514218621	+E-mail/PDF: gecsed@recoverycorp.com Apr 25 2017 22:23:14 Gecrb/Care One, PO Box 981439, El Paso, TX 79998-1439
514455469	E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 25 2017 22:30:45 Portfolio Recovery Associates, LLC, c/o Car Care One, POB 41067, Norfolk VA 23541
514218625	+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 25 2017 22:30:46 Portfolio Recvry&affil, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr	WELLS FARGO BANK, NA
514218624*	+Police And Fire Fcu, 901 Arch Street, Philadelphia, PA 19107-2495

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 27, 2017

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**



District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 17

Date Rcvd: Apr 25, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 24, 2017 at the address(es) listed below:

Angela Catherine Pattison on behalf of Loss Mitigation WELLS FARGO BANK, N.A.  
angela.pattison@powerskirn.com, ecf@powerskirn.com  
Anne Marie Aaronson on behalf of Creditor Police and Fire Federal Credit Union  
aaaronson@dilworthlaw.com,  
cpappas@dilworthlaw.com;mdolan@dilworthlaw.com;mferrier@dilworthlaw.com;cct@dilworthlaw.com  
Denise E. Carlon on behalf of Creditor Wells Fargo Bank, NA  
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa (NA) on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Joseph J. Rogers on behalf of Debtor Christine M. McCool jjresq@comcast.net,  
jjresql@comcast.net  
William M.E. Powers on behalf of Loss Mitigation WELLS FARGO BANK, N.A. ecf@powerskirn.com  
TOTAL: 8